

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

CHRISTINA MONGELLI,)
Plaintiff,)
v.) C.A. No. 05-359 SLR
RED CLAY CONSOLIDATED SCHOOL DISTRICT)
BOARD OF EDUCATION; IRWIN J. BECNEL, JR.,)
CHARLES CAVANAUGH, GARY LINARDOCCI,)
LORETTA C. RICE, JAMES D. TAYLOR, MARTIN A.)
WILSON, SR., INDIVIDUALLY AND IN THEIR)
OFFICIAL CAPACITIES AS MEMBERS OF THE RED)
CLAY CONSOLIDATED SCHOOL DISTRICT BOARD OF)
EDUCATION; ROBERT J. ANDRZEJEWSKI,)
INDIVIDUALLY AND IN HIS OFFICIAL CAPACITY AS)
SUPERINTENDENT OF THE RED CLAY)
CONSOLIDATED SCHOOL DISTRICT; AND RED CLAY)
CONSOLIDATED SCHOOL DISTRICT,)
)
Defendants.

MOTION TO DISMISS AND/OR FOR AN ORDER AWARDING
THE INDIVIDUAL DEFENDANTS QUALIFIED IMMUNITY

Defendants, by and through the undersigned counsel, hereby move to dismiss and/or for an order awarding the individual Defendants qualified immunity from Plaintiff's claims under 42 U.S.C. § 1983 and the First Amendment to the United States Constitution, filed against the individual Defendants.

YOUNG CONAWAY STARGATT & TAYLOR, LLP

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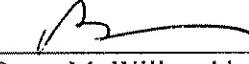
Dated: November 16, 2005

CERTIFICATE OF SERVICE

I hereby certify that on November 16, 2005, I electronically filed a true and correct copy of the foregoing Motion to Dismiss, with the Clerk of the Court using CM/ECF, and further caused a copy of same to be served by hand-delivery on the following counsel of record:

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